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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/692,542	10/24/2003	John P. Yardley	AM100159 P1

25291  
WYETH  
PATENT LAW GROUP  
FIVE GIRALDA FARMS  
MADISON, NJ 07940



CONFIRMATION NO. 1126  
FORMALITIES LETTER



\*OC000000011848682\*

Date Mailed: 02/06/2004

Due: 04/06/2004  
File: 08/06/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A replacement abstract not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) and 37 CFR 1.121 is required.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents

P.O. Box 1450  
Alexandria VA 22313-1450

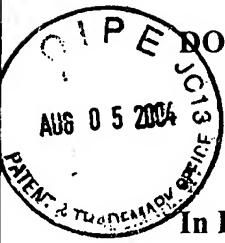
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*A copy of this notice **MUST** be returned with the reply.*

*4/22/02*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



DOCKET NO. WYTH0087-101/AM100159 P1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Yardley et al.

Confirmation No. 1126

Application Serial No.: 10/692,542

Art Unit No.: 1625

Filing Date: October 24, 2003

Examiner: Not Yet Assigned

For: ETHERS OF O-DESMETHYL VENLAFAKINE

Customer No.: 25291

EXPRESS MAIL LABEL NO.: EL964 553 029US  
DATE OF DEPOSIT: August 5, 2004

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION

In response to the "Notice to File Missing Parts of Nonprovisional Application--Filing Date Granted" dated **February 6, 2004**, a response to which is due **April 6, 2004**. A petition for four-month extension of time through **August 6, 2004**, and the appropriate fee accompany this response. Enclosed herewith for filing is:

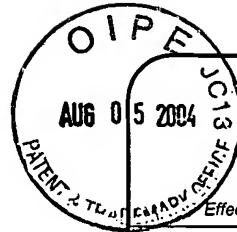
- A copy of the Notice to File Missing Parts.
- Applicants submit herewith a copy of the executed combined Declaration and Power of Attorney filed on April 2, 2004, in response to the Notice to File Missing Parts dated February 6, 2004.
- Applicants also submit herewith the requested Abstract, which has been shortened in compliance with the Examiner's helpful suggestions. Applicants respectfully submit that they have fully responded to the Notice to File Missing Parts dated February 6, 2004.
- Basic Filing Fee of @@ is enclosed together with the surcharge.

- Request for Corrected Filing Receipt.
- Fee Transmittal for FY 2004.
- Petition for Four-Month Extension of Time.
- A substitute specification in compliance with 37 C.F.R. § 1.52.
- Statement To Support Filing and Submission of Sequence Listing.
- Paper Copy of Substitute Sequence Listing.
- Computer Readable Form Containing Substitute Sequence Listing
- A check in the amount of \$@@@ is attached to cover the surcharge. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1275.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1275.
- Please charge the surcharge to my Deposit Account No. 50-1275 in the amount of \$130.00.
- The Commissioner is hereby authorized to charge payments of any patent application processing fees under 37 C.F.R. § 1.17 and under C.F.R. § 1.20(d) and any filing fees under 37 C.F.R. § 1.16, including fees for presentation of extra claims during the pendency of this application or credit any overpayment to Deposit Account No. 50-1275. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 50-1275. This sheet is attached in duplicate.

Date: August 5, 2004

  
\_\_\_\_\_  
Michael A. Patané  
Registration No. 42,982

COZEN O'CONNOR, P.C.  
1900 Market Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19103-3508  
(215) 665-6966 – Telephone  
(215) 701-2080 – Facsimile



# FEET TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,480.00)

Complete if Known	
Application Number	10/692,542
Filing Date	October 24, 2003
First Named Inventor	John P. Yardley et al.
Examiner Name	Not Yet Assigned
Art Unit	1625
Attorney Docket No.	WYTH0087-101/AM100159 P1

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money  Other  None  
Order
 Deposit Account:

Deposit Account Number

50-1275

Deposit Account Name

Cozen O'Connor, P.C.

## The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity
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Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 1,480.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	22	-22 **	= 0	X _____ = _____
Independent Claims	04	-04 **	= 0	X _____ = _____
Multiple Dependent			X _____	= _____

Large Entity	Small Entity
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Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity
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Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	1,480
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1455	200	1455	200	Filing an Application For Patent Term Adjustment under 37 CFR § 1.18(e)	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,480.00)

SUBMITTED BY		Complete if applicable			
Name (Print/Type)	Michael A. Patané	Registration No. (Attorney/Agent)	42,982	Telephone	(215) 665-6966
Signature				Date	August 5, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.